

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CLINTON PLUMBING AND HEATING OF
TRENTON, INC., et al.,**

Plaintiffs,

v.

**STEPHEN ANTHONY CIACCIO, and
NICOLE MARIE CIACCIO,**

Defendants.

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CIVIL ACTION

NO. 09-2751

ORDER

AND NOW, the 6th day of December 2011, upon consideration of Plaintiffs' Motion For Summary Judgment and attached Exhibits (Doc. No. 44), Defendants' Response thereto (Doc. Nos. 47, 48), Plaintiffs' Reply (Doc. No. 51), the pleadings, and the record, and for the reasons stated in the Opinion filed this day, it is hereby **ORDERED** as follows:

1. The Motion (Doc. No. 44) is **GRANTED in part and DENIED in part**;
2. Summary judgment is **GRANTED** as to liability on Counts III, V, VI, and VIII;
3. Summary judgment is **DENIED** in all other respects;
4. Count I is **DISMISSED** with prejudice.

It is so **ORDERED**.

BY THE COURT:

/s/ **Hon. Cynthia M. Rufe**

HON. CYNTHIA M. RUFE